S/N Unknown PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Say et al.

Examiner:

Unknown

Serial No.:

Unknown

Group Art Unit:

Unknown

Filed:

Herewith

Docket No.:

12008.39USC1

Title:

MASS TRANSPORT LIMITED IN VIVO ANALYTE SENSOR

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV347831415US

Date of Deposit: November 25, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Teresa Anderson

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 09/595,708 filed on 06/16/2000.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P. C

P. O. Box 2903

Minneapolis, Minnesota 55402-0903

(612) 371-5222

Date: 25 November 2003

Mara E. Liepa

Reg. No. 40,066

MEL:rlr

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PATENT TRADEMARK OFFICE

FORM 1449*

INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

| Docket Number: | Application Number: |
|----------------|---------------------|
| 12008.39USC1 | Unknwon |
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Applicant: SAY ET AL.

Filing Date: herewith Group Art Unit: unknown

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considered. Include copy of this form for next communication to the Applicant.

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FORM 1449*

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Date Mailed: November 25, 2003 Sheet 9 of 20

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